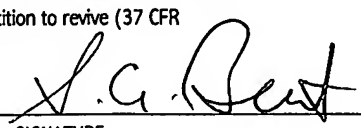


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|---|---|--|
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371  |   | ATTORNEY'S DOCKET NUMBER<br>060953-0137<br>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>Unassigned 104528191 |
| INTERNATIONAL APPLICATION NO.<br>PCT/EP2003/011264  | INTERNATIONAL FILING DATE<br>10/10/2003 | PRIORITY DATE CLAIMED<br>10/16/2002  |
| TITLE OF INVENTION<br>PROTEIN-CONTAINING PREPARATION WHICH CAN BE BIOTECHNOLOGICALLY PRODUCED, METHOD FOR THE PRODUCTION THEREOF, AND USE OF THE SAME AS A FOOD INGREDIENT  |   |  |
| APPLICANT(S) FOR DO/EO/US<br>Werner BACK, Martin BOENISCH, Klaus MUELLER and Jürgen BEZ   |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |   |  |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;"><input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;"><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;"><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 20px;"><input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> |   |  |
| Items 11 to 20 below concern other document(s) or information included:   |   |  |
| <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: PCT/ISA/210; PCT/IB308; PCT/IB/304 &amp; PCT/IB/301</p>  |   |  |

DT12 Rec'd PCT/PTO 17 MAR 2005

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|--|--------------|--|------------|---|---------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.51)<br>Unassigned <b>10/528191</b>  |              | INTERNATIONAL APPLICATION NO.<br>PCT/EP2003/011264                               |            | ATTORNEY'S DOCKET NUMBER<br>060953-0137 |         |
| 21. <input checked="" type="checkbox"/> The following fees are submitted:  |              |  |            |   |         |
| <input checked="" type="checkbox"/> a) Basic national fee  |              | \$300.00   | \$         | 300.00                                  |         |
| <input checked="" type="checkbox"/> b) Examination fee   |              | \$200.00   | \$         | 200.00                                  |         |
| <input checked="" type="checkbox"/> c) Search fee  |              | \$500.00   | \$         | 500.00                                  |         |
| TOTAL OF ABOVE CALCULATIONS =  |              | \$1000.00  | \$         | 1000.00                                 |         |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.  |              |  |            |   |         |
| Total Sheets   | Extra sheets | Number of each additional 50 or fraction thereof<br>(round up to a whole number) | RATE       |   |         |
| 32 - 100 =   | 0 /50 =      | 0  | x \$250.00 | \$                                      | 0.00    |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))  |              |  |            | \$                                      | 130.00  |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA   | RATE       | \$                                      |         |
| Total Claims   | 20 - 20 =    | 0  | x \$       | 50.00                                   | \$ 0.00 |
| Independent Claims   | 2 - 3 =      | 0  | x \$       | 200.00                                  | \$ 0.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |  | + \$       | 360.00                                  | \$      |
| TOTAL OF ABOVE CALCULATIONS =  |              |  |            | \$                                      | 1130.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |              |  |            | +                                       | \$ 0.00 |
| SUBTOTAL =   |              |  |            | \$                                      | 1130.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |              |  |            | \$                                      |         |
| TOTAL NATIONAL FEE =   |              |  |            | \$                                      | 1130.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property   |              |  |            | \$                                      |         |
| TOTAL FEES ENCLOSED =  |              |  |            | \$                                      | 1130.00 |
|  |              |  |            | Amount to be refunded:                  |         |
|  |              |  |            | charged:                                |         |
| <p>a. <input type="checkbox"/> A check in the amount of \$1130.00 to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$1130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> |              |  |            |   |         |
| SEND ALL CORRESPONDENCE TO:  |              |  |            |   |         |
| Foley & Lardner LLP  |              |  |            |   |         |
| Customer Number: 22428   |              |  |            |   |         |
| <br>SIGNATURE<br>Stephen A. Bent<br>NAME<br>29,768<br>REGISTRATION NUMBER<br>Date: March 17, 2005  |              |  |            |   |         |

10/528191

**LAWYERS' AND MERCHANTS' TRANSLATION BUREAU, INC.**

Legal, Financial, Scientific, Technical and Patent Translations

11 BROADWAY  
NEW YORK, NY 10004

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**Certificate of Accuracy**

**TRANSLATION**

From German into English

STATE OF NEW YORK }  
COUNTY OF NEW YORK } s.s.:

On this day personally appeared before me Elisabeth A. Lucas  
who, after being duly sworn, deposes and states:

That he is a translator of the German and English languages by profession and  
as such connected with the **LAWYERS' & MERCHANTS' TRANSLATION  
BUREAU;**

That he is thoroughly conversant with these languages;

That he has carefully made the attached translation from the original document  
written in the German language; and

That the attached translation is a true and correct English version of such original,  
to the best of his knowledge and belief.

**SUBSCRIBED AND SWORN TO BEFORE ME  
THIS**

**MAR 11 2005**

*Susan Tapley*

Susan Tapley  
Notary Public, State of New York  
No. 01TA4999804  
Qualified in Queens County  
Certificate filed in New York County  
and Kings County  
Commission Expires July 27, 2006

*17 Lucas*